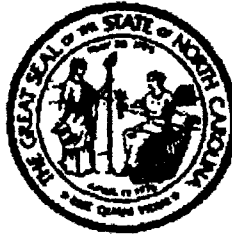


Michael F. Easley, Governor
Buck Lattimore, Chairman



Bernadine S. Ballance, Commissioner
Thomas J. Bolch, Commissioner
Laura K. Mavretic, Commissioner
Christopher Scott, Commissioner
Dianne C. Sellers, Commissioner
Pamela T. Young, Commissioner

North Carolina Industrial Commission

MINUTES

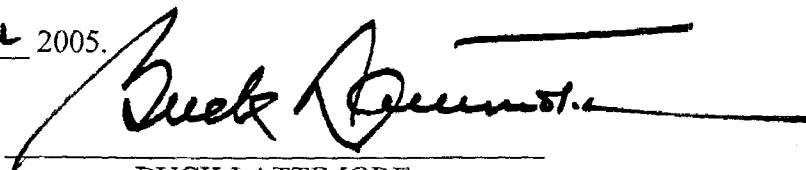
The Industrial Commission's Minutes dated September 28, 2005 are withdrawn and the following Minutes are substituted:

These Minutes are promulgated to facilitate the release of medical information necessary to the administration of claims while protecting the employee's right to a confidential physician-patient relationship.

1. Medical providers are authorized to use or disclose an employee's medical information in workers' compensation cases without the express authorization of the employee **as provided in the Workers' Compensation Act and in the Commission's Rules and Minutes.**
2. The Workers' Compensation Act authorizes a medical provider rendering treatment, without authorization of the employee, to provide records of the treatment to an employer or insurer paying for the treatment under workers' compensation.
 - For cases where the employer or insurer is not paying for the treatment under workers' compensation, the Workers' Compensation Act allows the medical provider to provide to the employer or insurer records of treatment **restricted to an injury or condition for which the employee is claiming workers' compensation**, so long as the employer or insurer has provided the employee with written notice that such records have been or will be requested. Employers or insurers, not medical providers, are responsible for providing the employee with written notice. Medical providers are not required to obtain copies of the written notice from the employer to the employee prior to releasing records of treatment.
3. Medical providers are hereby authorized to use or disclose medical information in workers' compensation cases without the employee's authorization for consultation with other medical providers as part of treatment of an employee.
4. Medical providers are hereby authorized to use or disclose medical information in workers' compensation cases without the employee's authorization:
 - a. to obtain authorization to treat an employee,
 - b. to process bills for treatment of an employee, and
 - c. to arrange or schedule medical procedures, tests, studies, and referrals for treatment of an employee.The medical provider disclosing an employee's medical information for these purposes shall reasonably limit the information disclosed to the minimum necessary to accomplish the purpose of the use or disclosure.
5. Medical providers may communicate with rehabilitation professionals assigned pursuant to the Industrial Commission Rules as provided in the Industrial Commission Rules for Utilization of Rehabilitation Professionals.

6. The Industrial Commission will be promulgating specific questions which may be used by an employer or insurer paying for medical care under workers' compensation and which may be answered by a medical provider without the authorization of the employee.
7. Other uses or disclosures of medical information will require a valid authorization voluntarily given and signed by the employee or an order of the Industrial Commission.

This 18th day of October 2005.



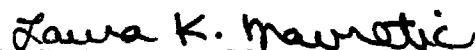
BUCK LATTIMORE
CHAIRMAN




BERNADINE S. BALLANCE
COMMISSIONER



THOMAS J. BOLCH
COMMISSIONER



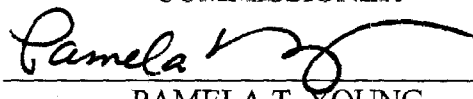
LAURA KRANIFELD MAVRETIC
COMMISSIONER



CHRISTOPHER SCOTT
COMMISSIONER



DIANNE C. SELLERS
COMMISSIONER



PAMELA T. YOUNG
COMMISSIONER